

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

AUGUST 25, 2003

ROLL CALL: 11 Councilmembers present, 1 absent (Casar)

INVOCATION: Given by Councilmember-At-Large Mary M. Babcock

PLEDGE OF ALLEGIANCE: Led by President of Council President Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 24B to add Resolution #69 and Rule 22A to add 1st Rdg O# 3A & 2nd Rdg O# 4-11; Adopted 2nd Rdg O#4-11)

PUBLIC HEARINGS:

7:30 PM A REQUEST TO REZONE PART OF OUTLOT 411 LOCATED AT 128 WERTZ AVENUE NW FROM R-1A TO PB-3 AS REQUESTED BY FETTMAN PROPERTY MGMT LTD. (PLANNING COMMISSION RECOMMENDS APPROVAL)
(One public speaker) (See O.174//2003)

7:31 PM A REQUEST BY KATE PAYNE TO VACATE PART OF WHIPKEY COURT NW BETWEEN 16th ST & ELLIOTT PL NW TO ALLOW FOR PRIVATE ACCESS. (PLANNING COMMISSION RECOMMENDS APPROVAL)
(No public speakers) (See O.176/2003)

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY): (One public speaker re: Reso #68)

INFORMAL RESOLUTIONS:

VICE PRESIDENT SMUCKLER: EXCUSING MEMBER CASAR.

68. CARBENIA, WARD 9 MEMBER: A RESOLUTION SUPPORTING THE STAND UP FOR STEEL CAMPAIGN. - ADOPTED

SUSPENDED RULE 24B TO ADD RESOLUTION #69:

69. INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE: OBJECTING TO THE ISSUANCE OF A NEW C1, C2 LIQUOR PERMIT REQUESTED BY CAMELOT CAR WASH & DETAIL CENTER, INC. @ 4806 CLEVELAND AVE NW. - ADOPTED

COMMUNICATIONS:

321. CANTON CITY BOARD OF EDUCATION: REQUEST TO VACATE A PORTION OF 3RD, WELLS, & QUEEN COURT NW, BETWEEN MCKINLEY & SHORB AND BETWEEN 4TH & 3RD STREETS, & REPLAT OF LOTS. - PLANNING COMMISSION (See C#329 & O#3A)

322. HEALTH BENEFITS ADMIN BRESSON: JULY 2003 MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS, & JULY-JUNE 2003 PAID CLAIMS & COMPARATIVE REPORT. - REC'D & FILED

323. HEALTH COMMISSIONER PATTISON: REQUEST \$6,263 SUPPLEMENTAL APPROPRIATION FROM THE 2328 PHI FUND DUE TO RECEIPT OF ADDITIONAL PUBLIC HEALTH INFRASTRUCTURE GRANT FUNDS. - LAW DIRECTOR (See O#1, 1st Rdg)

324. GABRIEL, JOHN A. & BRENDA M.: REQUEST TO REZONE 1406 15TH STREET SW FROM B-2 NEIGHBORHOOD BUSINESS TO PB-4 PLANNED SPECIAL BUSINESS FOR AUTOMOTIVE MAINTENANCE/REPAIRS - PLNG CMSN (See C#328)

325. LIQUOR CONTROL DIVISION STATE OF Ohio: NOTICE OF HEARING CONTINUATION IN THE CITY'S OBJECTION TO THE ISSUANCE OF A NEW C1,2 LIQUOR PERMIT TO LA TIENDA HISPANA OVIEDOS AT 909 12TH STREET NW. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE

326. MAYOR WATKINS: REQUEST TO REVERSE DECISION TO DEVELOP RIVERSIDE PARK AS AN INDUSTRIAL SITE & RETURN IT TO RECREATIONAL USES. - PLNG CMSN

327. MAYOR WATKINS: REQUEST TO AMEND BARGAINING UNIT PERSONNEL O.40/2000 TO DELETE UTILITY PERSON 1 CLASSIFICATION & REDUCE # OF EMPLOYEES FROM 60 TO 50 IN PUBLIC WORKS DIVISION; & ADD UTILITY PERSON 1 CLASSIFICATION IN SANITATION DIVISION W/TOTAL # OF EMPLOYEES IN WASTE COLLECTOR & UTILITY PERSON 1 CLASSIFICATIONS NOT TO EXCEED 40. - LAW DIRECTOR (See O#2, 1st Rdg)

COMMUNICATIONS - CONTINUED:

328. PLANNING COMMISSION: RECOMMENDING DENIAL OF REQUEST BY BRENDA AND JOHN GABRIEL TO REZONE 1406 15TH STREET SW FROM B-2 NEIGHBORHOOD BUSINESS TO PB-4 PLANNED SPECIAL BUSINESS TO PERMIT 5-UNIT APARTMENT & AUTO REPAIR GARAGE. - LAW DIRECTOR **PUB HRG 9/29/03 @ 7:30 PM**
(See C#324)
329. PLANNING COMMISSION: RECOMMENDING APPROVAL OF THE REQUEST BY CANTON CITY SCHOOLS TO VACATE PARTS OF 3RD, QUEEN & WELLS NW, & REPLAT ALL OR PARTS OF LOTS 244-246, 6057-6064, & 1733-1739 & VACATED STREETS INTO 2 RECONFIGURED OUTLOTS. - LAW DIR. **PUB HRG 9/15/03 @ 7:30 PM**
(See C#321 & O#3A, 1st Rdg)
330. SERVICE DIRECTOR MILLER: REQUEST TO CONTRACT W/BITZEL EXCAVATING FOR CONSTRUCTION OF WATER LINE EXTENSIONS ON KEATS, BYRON, SHELLY, & WOODCREST NE AS PART OF LAWR-CHESTER PHASE TWO WATER MAIN EXTENSION PROJECT; REQUEST TO FILE APPLICATION & CONTRACT W/OWDA FOR A \$273,790 LOAN; REQUEST TO ESTABLISH 5222 LAW-CHESTER PHASE TWO WATER MAIN EXTENSION FUND, & REQUEST \$273,790 SUPPLEMENTAL APPROPRIATION FROM SAME. - LAW DIRECTOR (See O#3, 1st Rdg)
331. SERVICE DIRECTOR MILLER: NOTIFYING COUNCIL OF EMERGENCY PAVEMENT RECONSTRUCTION & INTERCEPTOR SEWER INSPECTION DUE TO FLOOD DAMAGE ON WARNER ROAD NE FROM 8TH TO 9TH STREETS NE. - FINANCE COMMITTEE CHRMAN
332. SERVICE DIRECTOR MILLER: SUBMITTING LETTER OF CLARIFICATION FOR REQUEST OF SIDEWALKS, CURBS AND GUTTER ON MARIETTA AVENUE. - MAJ. LEADER SMUCKLER
333. STARK COUNTY COMMISSIONERS: APPROVAL OF JEFFRIES BROTHERS ANNEXATION AS AMENDED. - LAW DIRECTOR & PLNG CMSN

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMENDING O.236/2002 FOR A \$6,263 SUPPLEMENTAL APPROPRIATION FROM THE 2328 PUBLIC HEALTH INFRASTRUCTURE FUND; EMERGENCY.
Referred to Finance Committee
- 1ST RDG 2. AMENDING EXHIBIT A OF BARGAINING UNIT PERSONNEL O.40/2000 IN SERVICE DIRECTOR'S DIVISION OF PUBLIC WORKS & DIVISION OF SANITATION RE: UTILITY PERSON 1 CLASSIFICATION; EMERGENCY
Referred to Personnel Committee
- 1ST RDG 3. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO \$248,900 CONTRACT WITH BITZEL EXCAVATING FOR CONSTRUCTION OF WATER LINE EXTENSIONS AS PART OF LAWR-CHESTER PHASE TWO WATER MAIN EXTENSION PROJECT; AUTHORIZING THE SERVICE DIRECTOR TO MAKE APPLICATION & CONTRACT WITH OHIO WATER DEVELOPMENT AUTHORITY FOR \$273,790 LOAN; AUTHORIZING AUDITOR TO ESTABLISH 5222 LAW-CHESTER PHASE TWO WATER MAIN EXTENSION FUND & AUTHORIZING A \$273,790 SUPPLEMENTAL APPROPRIATION FROM SAME; EMERGENCY
Referred to Environmental & Public Utilities and Finance Committees

SUSPENDED RULE 22A TO ADD ORDINANCE#3A:

- 1ST RDG 3A. VACATING PORTIONS OF THIRD STREET, QUEEN COURT & WELLS AVE NW AS REQUESTED BY CANTON CITY SCHOOLS; APPROVING & ACCEPTING REPLATTING OF ALL OR PARTS OF LOTS NOS. 244-246; 6057-6064; 1733-1739 & VACATED PORTIONS OF THIRD STREET, QUEEN COURT & WELLS AVE NW; EMERGENCY
Referred to Public Safety & Thoroughfares Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**SUSPENDED RULE 22A TO ADD ORDINANCES#4-11:**

- 175/2003** 4. NAMING A 10' UNNAMED ALLEY BETWEEN 4TH & 5TH STREETS NW "ZERBY PLACE NW;" EMERGENCY.
- 176/2003** 5. VACATING PART OF WHIPKEY COURT NW FROM SOUTH LINE OF 16TH STREET TO NORTH LINE OF ELLIOTT PLACE AS REQUESTED BY KATE PAYNE; EMERGENCY. **PUBLIC HEARING 8/25/03 @ 7:31 PM**
- 177/2003** 6. AUTHORIZING THE SAFETY DIRECTOR TO ENTER INTO AGREEMENT WITH STARK COUNTY COMMISSIONERS FOR PURPOSE OF SHARING RADIO EQUIPMENT WITH THE CITY IN THE CANTON COMMUNICATION CENTER; EMERGENCY.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING - CONTINUED:

- 178/2003** 7. AUTHORIZING THE CITY AUDITOR TO ESTABLISH THE 2777 CANTON POLICE YOUTH CORP FUND & 2778 CANTON AUXILIARY POLICE FUND; AMENDING O.236/2002 BY MAKING A \$2,542 SUPPLEMENTAL APPROPRIATION FROM THE 2777 CANTON POLICE YOUTH CORP FUND & \$5,000 FROM THE 2778 CANTON AUXILIARY POLICE FUND; EMERGENCY.

- 179/2003** 8. APPROVING WATER MAIN EXTENSION TO LAKE CENTER STREET IN LAKE TOWNSHIP; AUTHORIZING SERVICE DIRECTOR TO CONTRACT FOR SAME; EMERGENCY.
- 180/2003** 9. AUTHORIZING THE EDITING & INCLUSION OF CERTAIN ORDINANCES ADOPTED FROM JULY 1, 2002 TO JUNE 30, 2003 AS PART OF THE CODIFIED ORDINANCES OF CANTON; EMERGENCY.
- 181/2003** 10. A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO DISTRIBUTE COPIES OF THE 2003 SUPPLEMENT TO THE CANTON CITY CODIFIED ORDINANCES FREE OF CHARGE TO PUBLIC OFFICIALS & PUBLIC INSTITUTIONS & SELL COPIES FOR \$14.40 TO COPYHOLDERS WHO PURCHASED THE CANTON CITY CODE; EMERGENCY.
- *173/2003** 11. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A \$23,600 CONTRACT WITH CTI ENVIRONMENTAL INC TO PREPARE A DRAINAGE STUDY FOR THE PLAIN CENTER ESTATES AREA; AMENDING O.236/2002 FOR A \$23,600 TRANSFER INTO THE 5410-20-20-10 SEWER--PLAIN CENTER ESTATES ACCOUNT; EMERGENCY.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- *174/2003** 12. AMENDING ORDINANCE O.55/77 TO REZONE PART OF OUTLOT 411 LOCATED AT 128 WERTZ AVENUE NW FROM R-1A TO PB-3 AS REQUESTED BY FETTMAN PROPERTY MGMT LTD; EMERGENCY.

PUB HRG 8/25/03 @ 7:30 PM

***Adopted out of sequence**

ANNOUNCEMENT OF COMMITTEE MEETINGS:

Monday, September 8, 2003 @ 6:45 P.M., Caucus Room

1. Finance Committee
2. Personnel Committee
3. Public Safety & Thoroughfares Committee
4. Environmental & Public Utilities Committee

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY): (Council heard 15 speakers)

MISCELLANEOUS BUSINESS: (Feed the Needy Picnic on 9/13/2003--donations being accepted)

ADJOURNMENT TIME: 9:27 PM

THE NEXT REGULAR CITY COUNCIL MEETING WILL BE HELD MONDAY, SEPTEMBER 8, 2003 @ 7:30 PM
(COUNCIL RETURNS TO ITS WEEKLY-SCHEDULED MONDAY EVENING MEETINGS
FOLLOWING THE LABOR DAY HOLIDAY)